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**MEMO ENDORSED**

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ALSO ADMITTED IN MINNESOTA

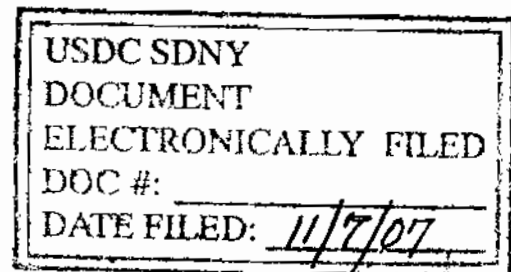
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November 7, 2007

Via Facsimile (212) 805-6181

Honorable Douglas F. Eaton  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1360  
New York, New York 10007



Re: Evart Enterprises v. Gentlemen's Video, et al.

07 Civ. 5441 (DLC) (DFE)  
*This is an ECF case.*

Dear Magistrate Eaton,

This firm represents Plaintiff in the above referenced matter. Your Honor previously set and then revised a schedule for the service of papers on Defendants' motion to dismiss. By that schedule, Plaintiff's opposition papers were due yesterday, November 6, and Defendants' reply papers were due November 12, which was also the return date of the motion.

Unfortunately, I had to undertake a trip to Oakland, California, to attend to my elderly father over the past weekend and I was unable to complete Plaintiff's opposition papers by yesterday's deadline. I communicated this situation to Defendants' counsel Ed Rudofsky, Esq. who graciously consented to a brief adjustment of the motion schedule.

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At this time, the parties jointly request that the motion return date be extended to November 20, 2007, and that the time for Plaintiff to serve opposition papers be extended to and including November 13, 2007, and that Defendants' time to serve reply papers be extended to and including November 20, 2007.

We thank Your Honor for consideration and courtesy in this matter and look forward to hearing from you shortly.

Very truly yours,



H. Nicholas Goodman

cc: Ed Rudofsky, Esq. (by electronic mail)

→ 11/7/07 - I grant this request.  
There will be no oral argument unless  
Judge Cote calls for oral argument.

Dwight F. Estlin

**MEMO ENDORSED**